



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

MICHAEL O. LEAVITT
Governor

OLENE S. WALKER
Lieutenant Governor

December 8, 2003



Ms. Phillis Johnson-Ball
Surface Transportation Board
Case Control Unit
STB Finance Docket No. 34075
1925 K Street, NW
Washington, D.C. 20423-0001

RE: Central Utah Rail Project

Dear Ms. Jonnson-Ball:

The Utah Department of Natural Resources appreciates the opportunity to provide comments regarding potential environmental issues and impacts associated with the proposed rail line between Levan and Salina, Utah. The department recognizes the significance of the proposed rail line to the economic potential of this region and the state of Utah.

The following comments reflect input from several of the divisions within the department.

Geologic hazards along the proposed rail line route, including landslides, rockfalls and problem soils (those exhibiting shrink/swell characteristics), should be considered in the Environmental Impact Statement (EIS). The Utah Geological Survey, a division of the Department of Natural Resources, can provide general geologic hazards information.

Additionally, the EIS should address minerals and energy, and paleontological resources which may be impacted by the project. The Utah Geological Survey can provide general information regarding these resources.

The proposed rail alignment crosses the western portion of the Division of Wildlife Resources' Redmond Wildlife Management Area, which is protected under the Redmond Wetlands Conservation Easement. The purpose of this easement is to preserve and enhance habitat for high priority resident and migratory wildlife, and to retain and manage public access for wildlife related recreational activities. The placement of the railroad through this property

may adversely impact both wetland and upland habitats, as well as the wildlife species that rely on these lands. In addition, the railroad may restrict public access if any of the proposed right-of-way is posted as private property. Importantly, the majority of the water for the wetlands in the area comes from effluent from irrigation on adjacent farmlands west of the property. The proposed placement of the railroad may inadvertently disrupt the flow of water from the west that is crucial to the maintenance and health of the wetland habitat in the area. Because of these concerns, the Department recommends an alignment that will not pass through this sensitive Wildlife Management Area. If such alignment is not feasible, effective mitigation for the identified potential impacts must be addressed in the EIS.

The Division of Wildlife Resources has records of occurrence, within the vicinity of the proposed rail alignment, for several species which are listed on the *Utah Sensitive Species List*. These include Bald Eagle (*Haliaeetus leucocephalus*), Long-billed Curlew (*Numenius americanus*), Northern Goshawk (*Accipiter gentiles*) and Ferruginous Hawk (*Buteo regalis*). Potential impacts to these species must be adequately addressed.

A state conservation species Columbia spotted frog (*Rana luteiventris*) exists in several known locations in Juab Valley. Project alignments must consider the possibility of spotted frog presence in yet unknown locations within the valley. Surveys of wetlands and springs should be conducted to assess the potential for impacts to this species. In addition, the state sensitive species Leatherside chub (*Gila copei*) exists in the Sevier River. Rail line impacts to the river channel, stream banks, and riparian vegetation should be avoided or minimized when possible.

The proposed alignment bisects critical and high value deer winter range for two separate herds located on the Valley Mountains and the San Pitch Mountains. Deer winter movements may conflict with the rail operations. Deer and train collisions can be expected and may result in a major source of deer mortality. Any wildlife-proof fencing along the proposed railroad right-of-way must incorporate wildlife mitigation structures, such as migration underpasses and escape ramps.

The wetlands along the Sevier River and Yuba Lake provide important habitat for numerous waterfowl species. Moreover, these wetlands are a portion of an integrated wetland habitat that supports one of the most critical western flyways for migratory waterfowl. Impacts to these resources must be adequately addressed.

Yuba Lake is an important component of the Utah state parks system. Yuba Lake State Park is managed through the Division of Parks and Recreation, within the Department of Natural Resources.

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The proposed rail line route intersects the Yuba Lake State Park entrance road near Painted Rocks Campground and Day-Use Beach. The entrance road provides access to approximately 30,000 park visitors per year. The campground is currently being expanded and improved to accommodate 50,000 visitors per year. The EIS must address the potential for vehicle and train collision hazards based upon the projected level of park visitation and the projected volume of rail line traffic. The analysis must identify measures to minimize such hazards.

Situations which require immediate law enforcement or emergency medical response occur at this park location. The potential delay in such emergency response, resulting from the passing of a 110-car train, must be addressed in the EIS.

The proposed intersection will be approximately three-tenths of a mile from the Painted Rocks Campground and Day-Use Beach. The EIS must address the potential for noise impacts and identify effective mitigation measures to minimize such impacts.

The aesthetics of the area surrounding the intersection of the proposed rail line route and the access road to the Painted Rocks area contribute to the overall experience of the park visitor. The EIS should address reducing the extent of modification of the entrance road area through minimizing removal of vegetation and maintaining the natural topography to the extent possible.

The proposed alignment crosses Yuba Lake approximately midway between the dam and the Sevier River inlet. Potential water quality effects associated with construction and operation of the rail line, including the effects to the warm water fishery, must be addressed in the EIS. Impacts to water related recreationists and their ability to freely traverse Yuba Lake must also be assessed. These recreation activities include fishing, water skiing, personal watercraft use, and sailing. Impacts to shoreline related activities in the vicinity of the lake crossing must also be addressed.

Thank you for the opportunity for the Department of Natural Resources to provide comment on this important project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert L. Morgan".

Robert L. Morgan, P.E.
Executive Director